

**UNITED STATES DISTRICT COURT
District of Massachusetts**

**GEORGE LOGUE,
Plaintiff,**

v.

**EXPERIAN INFORMATION
SOLUTIONS, INC.,
Defendant.**

)
)
)
)
)
)
)
)
)
)

Case No.: 04-11779-RCL

**DEFENDANT'S OPPOSITION TO PLAINTIFF'S
MOTION TO REOPEN THE CASE, OR, IN THE ALTERNATIVE, TO
REFILE THE COMPLAINT**

Now comes the Defendant Experian Information Solutions, Inc. which opposes Plaintiff George Logue's Motion to Re-Open or Re-File the above-captioned matter.

As grounds for this Opposition, Experian states that on January 13, 2005, this Court entered an order dismissing this case within 30 days from the date of the order's entry. At that time, Plaintiff represented to both the Court and to Defense counsel that he was willing to dismiss this matter, pending resolution of one small issue related to his credit rating, specifically having Experian change the address on his credit report. However, subsequent to the January 12, 2005 hearing, Defense counsel made numerous attempts to contact Mr. Logue so that she could obtain his new address. Counsel left multiple telephone messages that Mr. Logue did not return.

Defendant has made good faith efforts to settle this matter but simply cannot

communicate with the Plaintiff in order to achieve this goal, which has been a continuing and significant problem throughout this litigation and which is a problem that will unquestionably continue if this matter is reopened. Briefly put, Plaintiff has failed to cooperate with Defendant in the prosecution of this matter because of his consistent unavailability, has failed to participate in settlement discussions for the same reason and now wishes to re-open this matter because he refuses to return multiple telephone messages, which, if they had been returned, would have allowed the resolution of this case.

For these reasons, Defendant respectfully requests that this Court deny Plaintiff's Motion to Re-Open this Case, or in the alternative, to Re-File the Complaint.

Respectfully submitted,

Experian Information Solutions, Inc.

By its attorneys

/S/ Robert White
Robert S. White, BBO #552229
Bourgeois, Dresser, White & Beard
4 Dix Street
Worcester, MA 01609
Tel. 508-798-8801
Fax 508-754-1943

Christine E. Jennings, Esquire, *Pro Hac Vice*

JONES DAY

222 E. 41st Street

New York, New York 10017

Tel. 212-326-3958

Fax: 212-755-7306

Dated: Worcester, MA
March 31, 2005

CERTIFICATE OF SERVICE

Robert S. White, attorney for Defendant, certifies and declares under penalty of perjury that on March 31, 2005 he caused the foregoing document to be served via first class U.S. mail, properly addressed, to the following:

George Logue
General Delivery
Boston, MA 02205
Plaintiff, *Pro Se*

/S/ Robert S. White
Robert S. White